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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,703	05/31/2000	Oleg B. Rashkovskiy	INTL-0409-US (P8992)	5209
21906	7590	11/28/2006	EXAMINER	
TROP PRUNER & HU, PC 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			LUU, LE HIEN	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/583,703	RASHKOVSKIY, OLEG B.	

<b>Examiner</b>	<b>Art Unit</b>	
Le H. Luu	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. § 133.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 09/11/06.

2a) This action is **FINAL**.                                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-3,5-13 and 15-32 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-3,5-13 and 15-32 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

1. Claims 1-3, 5-13, and 15-32 are presented for examination.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
3. Claims 1-3, 5-13, and 15-32 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Compton et al. (Compton) patent no. 6,115,035, in view of Hatori patent no. 5,778,382, and Wesinger, Jr. et al. (Wesinger) patent no. 5,778,367.
4. As to claims 1 and 31, Compton teaches the invention substantially as claimed, including a method comprising:

automatically searching, on a plurality of web sites, for streaming video files (col. 2 lines 11-25; col. 3 lines 33-46; col. 4 lines 30-42; col. 5 lines 5-28; search engine inherently searches plurality of web sites);

selecting particular streaming video files from said plurality of web sites based on a text search using keywords (Compton, col. 3 lines 33-46; col. 4 lines 30-42; col. 5 lines 5-27; search engine inherently use text search using keywords search on plurality of web sites. Inherent teaching can be found in Wesinger, Jr. et al. patent no.

5,778,367; Wesinger, col. 2 lines 8-16; col. 9 lines 55-65); and

in response to said search, automatically generating a graphical user interface including representations of said selected streaming video files for display (Compton, col. 4 lines 43-65; col. 7 line 16-27).

However, Compton does not explicitly teach organizing said streaming video files representations by said keywords for display.

Hatori teaches using keyword to denote a retrieval-result display area for displaying items of data retrieved with searched keyword (Hatori, figure 9; Abstract, col. 4 lines 30-48).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Compton and Hatori to organize said streaming video files representations by said keywords for display because it would allow items of data with the keyword are displayed at a predetermined area on a display screen.

5. As to claim 2, Compton teaches automatically searching for streaming video files includes automatically searching for predetermined file extensions associated with streaming video files (col. 4 lines 43-65, fig 3).

6. As to claim 3, Compton teaches automatically searching for streaming video files includes automatically searching for streaming video file extensions and for keywords in web sites associated with said streaming video files (Compton, col. 4 lines 30-42).

7. As to claim 5, Compton and Hatori teach the invention substantially as claimed as discussed above. However, Compton and Hatori do not explicitly teach displaying said representations of keywords in a column and said representations of video files in rows.

Hatori teaches displaying representations of retrieval conditions in a column and representations of image files in rows (Hatori, figure 12).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Compton and Hatori to display said representations of keywords in a column and said representations of video files in rows because it would display retrieval results in conventional way.

8. As to claims 6-7, Compton and Hatori teach representing each video file by a thumbnail frame, and playing said video file in response to a user selection of said thumbnail video (Compton, col. 4 lines 43-65; col. 7 line 16-27; Hatori, figure 9; Abstract, col. 4 lines 30-48).

9. As to claims 8-10 and 30, Compton and Hatori teach using said keywords as category icons and displaying a plurality of video files associated with each category icon, accessing said video file over the Internet in response to a user selection of said video file, and periodically automatically searching for streaming video files; replacing the display of said first set of representations of said video files with a second set of representations of said video files in response to selecting a given keyword category

icon (Compton, col. 4 lines 30-65; col. 7 line 16-27; Hatori, figure 9; Abstract, col. 4 lines 30-48).

10. As to claims 24 and 32, Compton and Hatori teach automatically searching the Internet includes automatically transmitting a request to a remote web server for a search engine to perform said Internet search including limiting said search by one particular language or a particular location (Compton, col. 4 lines 30-65; col. 7 line 16-27; Hatori, figure 9; Abstract, col. 4 lines 30-48).

11. Claims 11-13, 15-23, and 25-29 have similar limitations as claims 1-3, 5-10 and 24; therefore, they are rejected under the same rationale.

12. In the remarks, applicant argued in substance that

(A) Prior art does not teach a search engine that searches plurality of web sites for streaming video files.

As to point (A), Compton teaches user can use search engine to search digital video files that are stored on multiple Web servers operate as an archive database in the Internet (Compton, col. 4 lines 30-42; col. 5 lines 5-27). It is well-known that a Web site is being defined as a collection of Web pages, which are documents coded in HTML that are linked to each other and very often to pages on other Web sites. A Web site is hosted on a server by its owner or at an ISP. A web server can contain multiple Web sites, or many web sites can share space on a server. Therefore, Compton teaches

searching plurality of web sites for streaming video files.

(B) Prior art does not teach selecting particular streaming video files from the plurality of web sites based on a text search using keywords.

As to point (B), Compton teaches searching plurality of web sites for streaming video files as discussed above. In addition, Compton's search engine inherently uses text search with keywords to retrieve video files (Compton, col. 3 lines 33-46; col. 4 lines 30-42; col. 5 lines 5-27; search engine inherently uses text search using keywords search on plurality of web sites. Inherent teaching can be found in Wesinger, Jr. et al. patent no. 5,778,367; Wesinger, col. 2 lines 8-16; col. 9 lines 55-65. Wesinger teaches user can enter keywords to facilitate searching).

(C) There is no suggestion to combine the teachings of Compton and Hatori.

As to point (C), Examiner stated that It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Compton and Hatori to organize said streaming video files representations by said keywords for display because it would allow items of data with the keyword are displayed at a predetermined area on a display screen. The motivation is from Hatori's teachings in col. 4 lines 4-28.

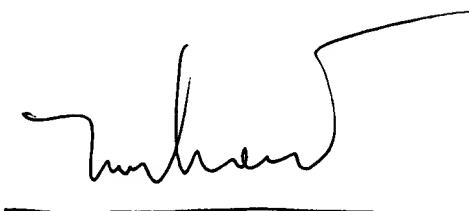
(D) Examiner cited Reilly reference without providing any basis for using this reference.

As to point (D), It was a typographical error when Examiner referred to Reilly's reference in Office Action mailed on 06/08/2006. Examiner has corrected the typographical error in this Office Action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu whose telephone number is 571-272-3884. The examiner can normally be reached on 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LE HIEN LUU  
PRIMARY EXAMINER